

104TH CONGRESS
1ST SESSION

H. R. 1630

To exclude from gross income certain disability benefits received by former police officers or firefighters.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1995

Mr. SCHAEFER (for himself, Mr. SKAGGS, Mr. ALLARD, Mr. HEFLEY, Mr. MCINNIS, and Mrs. SCHROEDER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To exclude from gross income certain disability benefits received by former police officers or firefighters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CERTAIN DISABILITY BENEFITS RECEIVED BY**
4 **FORMER POLICE OFFICERS OR FIRE-**
5 **FIGHTERS.**

6 (a) GENERAL RULE.—Any amount to which this sec-
7 tion applies shall be treated for purposes of section
8 104(a)(1) of the Internal Revenue Code of 1986 as re-
9 ceived under a workmen's compensation act as compensa-
10 tion for personal injuries or sickness.

1 (b) AMOUNTS TO WHICH SECTION APPLIES.—

2 (1) IN GENERAL.—This section shall apply to
3 any amount which is paid by an eligible State plan
4 to an individual (or to the survivors of an individual)
5 if—

6 (A) such individual was an employee of
7 any police department or fire department which
8 is organized and operated by the State main-
9 taining such plan or by a political subdivision of
10 such State,

11 (B) such amount is paid by reason of such
12 individual's disability, and

13 (C) there is an admission by the employer
14 or his agent, or there is a finding or determina-
15 tion by a State or local workers compensation
16 board, that such disability was due to an occu-
17 pational injury or sickness.

18 (2) EXCLUSION OF CERTAIN AMOUNTS.—This
19 section shall not apply to—

20 (A) the portion of any benefit based on
21 length of service, age, or the employee's con-
22 tribution; or

23 (B) disabilities that are presumed to be
24 work-related.

1 (c) ELIGIBLE STATE PLAN.—For purposes of this
2 section, the term “eligible State plan” means any plan
3 maintained by a State if such plan—

4 (1) was established on January 1, 1980, by
5 State law,

6 (2) pays disability benefits regardless of wheth-
7 er the disability resulted from employment, and

8 (3) does not vary the amount of disability bene-
9 fits on the basis of whether the disability resulted
10 from employment.

11 (d) EFFECTIVE DATE.—This section shall apply to
12 amounts paid after the date of the enactment of this Act.

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